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3 BILL NO. 73-05- 25.

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5 RESOLUTION NO. R - 32-73

6 A RESOLUTION confirming an Approval
7 Order of the Fort Wayne City Plan
8 Commission concerning the Amendment
9 of the Hanna-Creighton Urban Renewal
10 Project I, IND. R-51 proposed by the
11 Fort Wayne Redevelopment Commission
12 and Confirming the Declaratory Resolution -
13 Amending the Urban Renewal Plan for
14 Hanna-Creighton Urban Renewal Project
15 I, IND. R-51 of the Fort Wayne
16 Redevelopment Commission.

17 WHEREAS, the Fort Wayne Redevelopment Commission adopted
18 Declaratory Resolution amending the Urban Renewal Plan for
19 Hanna-Creighton Urban Renewal Project I, IND. R-51 on April
20 9, 1973, based on plans filed in the office of said Fort Wayne
21 Redevelopment Commission; copy of which Declaratory Resolution
22 is attached hereto, made a part hereof and marked "Exhibit A".

23 WHEREAS, the Plan Commission of the City of Fort Wayne
24 at its Regular Meeting on May 14, 1973, adopted and issued a
25 written order approving said Declaratory Resolution and Amend-
26 ment to the Urban Renewal Plan referred to therein, relative
27 to the said Hanna-Creighton Project I, IND. R-51; a copy of
28 which Approval Order is attached hereto and made a part hereof
29 and marked "Exhibit B".

30 WHEREAS, the foregoing actions of the said Fort Wayne
31 Redevelopment Commission and the Fort Wayne City Plan Commission
32 are in accordance with the provisions of the Redevelopment of
33 Cities and Towns Act of 1953 (Chapter 176 of the Acts of 1953
34 of the General Assembly of the State of Indiana, as Amended and
35 Supplemented).

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

1. That the said actions are hereby approved, ratified,
and confirmed.
2. That this resolution shall be in full force and effect
from and after its passage and approval by the Mayor.

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Approved as to form and legality

John W. Lagan

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: _____

CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed (~~Lost~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 5/22/73

Chuck W. Whistman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. B-32-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Chuck W. Whistman
CITY CLERK

Winifred C. White Jr.
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 10:40 o'clock A. M., E.S.T.

Chuck W. Whistman
CITY CLERK

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P. M., E.S.T.

John A. Rehman
MAYOR

DECLARATORY RESOLUTION AMENDING URBAN
RENEWAL PLAN FOR HANNA-CREIGHTON
PROJECT I, IND. R-51

WHEREAS, the Fort Wayne Redevelopment Commission duly adopted an Urban Renewal Plan for a certain blighted area of the City of Fort Wayne, Indiana under the provisions set forth in Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana and all acts amendatory and supplemental thereof, known as the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" by Declaratory Resolution adopted by said Commission on October 19, 1964; and

WHEREAS, said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" was duly approved by written order of the Fort Wayne City Plan Commission on October 19, 1964, and by ordinance of the Common Council of the City of Fort Wayne, Indiana, on October 27, 1964; and

WHEREAS, notice was given by the Fort Wayne Redevelopment Commission, in the form and manner prescribed by law, in two daily newspapers of general circulation printed and published in the English language in the City of Fort Wayne, Indiana, on November 28, 1964, and December 5, 1964, to the effect that a public hearing would be held on December 17, 1964, at 7:30 P.M. in the Common Council Chambers of the City of Fort Wayne, at which time remonstrances and objections of persons interested in or affected by said proceedings pertaining to the proposed "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" and after considering same, that said Fort Wayne Redevelopment Commission would take final action on said Declaratory Resolution; and

WHEREAS, at the time and place of said public hearing, said proposed "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51", as set forth in said Declaratory Resolution, was found to be of public utility and benefit, and said Declaratory Resolution was

confirmed and such final action duly recorded in the records of said Commission; and

WHEREAS, no appeal was taken by any aggrieved person from such final action of the Fort Wayne Redevelopment Commission within ten (10) days to the Allen Circuit Court or to the Superior Court of Allen County, Indiana; and

WHEREAS, said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51", was duly recorded in the Office of the Recorder of Allen County, Indiana, on February 1, 1966, in Miscellaneous Record 284 at Pages 235-44, and which Plan is by this reference incorporated herein as if same had been fully set out herein verbatim; and

WHEREAS, the Fort Wayne Redevelopment Commission has ever since said time purchased and has endeavored to redevelop all of the real estate located within the project area described in said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" with the exception of the following real estate located within said project and also within Fort Wayne, Allen County, Indiana, the same being more particularly described as follows:

Commencing at the intersection of the west line of Bowser Avenue and the north line of Creighton Avenue; thence east along the north line of Creighton Avenue to the intersection of the west line of Holton Avenue; thence north along the west line of Holton Avenue to the south line of the first east-west alley north of Creighton Avenue (said alley having been vacated since the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" was recorded on February 1, 1966, in the Office of the Recorder of Allen County, Indiana); thence west along the south line of said alley to the west line of Bowser Avenue; thence South to the place of beginning.

hereinafter referred to as "Excluded Real Estate";

WHEREAS, since said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" was begun, the Fort Wayne Redevelopment Commission has found that the real estate described herein as "Excluded Real Estate" is not needed to carry out said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" and that it

would be of public utility and benefit to eliminate from said "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51", the "Excluded Real Estate" described herein; and

WHEREAS, the Fort Wayne Redevelopment Commission has not purchased or acquired any interest in the "Excluded Real Estate";

NOW, THEREFORE, BE IT RESOLVED, by the Fort Wayne Redevelopment Commission pursuant to Chapter 176 of the Acts of 1953 of the General Assembly of the State of Indiana and all acts amendatory and supplementary thereto and pursuant to Section F of the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51", which is recorded in Miscellaneous Book 284, Pages 235-44, in the Office of the Recorder of Allen County, Indiana, that the following-described real estate located within the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" and also within the City of Fort Wayne, Allen County, Indiana, and more particularly described as follows:

Commencing at the intersection of the west line of Bowser Avenue and the north line of Creighton Avenue; thence east along the north line of Creighton Avenue to the intersection of the west line of Holton Avenue; thence north along the west line of Holton Avenue to the south line of the first east-west alley north of Creighton Avenue (said alley having been vacated since the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" was recorded on February 1, 1966, in the Office of the Recorder of Allen County, Indiana); thence west along the south line of said alley to the west line of Bowser Avenue; thence South to the place of beginning.

hereinbefore and after referred to as "Excluded Real Estate"; be eliminated from the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51";

BE IT FURTHER RESOLVED, that the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51" shall be deemed amended to have no applicability whatsoever to the "Excluded Real Estate" described herein;

BE IT FURTHER RESOLVED, that the Fort Wayne Redevelopment Commission feels that it is of public utility and benefit to amend

the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51"
as herein provided;

BE IT FURTHER RESOLVED, that except as herein provided,
the "Hanna-Creighton Urban Renewal Plan, Project I, Ind. R-51"
as recorded in Miscellaneous Book 284, Pages 235-44 in the Office
of the Recorder of Allen County, Indiana, shall remain in full
force and effect until otherwise modified in accordance with
the provisions of said plan or with the laws of the State of
Indiana.

Exhibit B

RESOLUTION OF THE
FORT WAYNE CITY PLAN COMMISSION

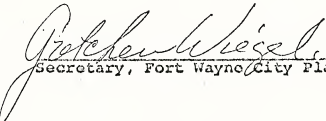
The City Plan Commission of the City of Fort Wayne in regular session on May 14, 1973, having before it a copy of the Fort Wayne Redevelopment Commission's Resolution No. 73-16, Declaratory Resolution Amending Urban Renewal Plan for Hanna-Creighton Project I, Ind. R-51, adopted by the Redevelopment Commission on April 9, 1973, and having duly considered same, the Fort Wayne City Plan Commission upon motion by John Nuckols, seconded by Lee Smith, unanimously approved and adopted the following resolution:

WHEREAS, The Fort Wayne Redevelopment Commission has submitted to the Fort Wayne City Plan Commission a Declaratory Resolution adopted by the Fort Wayne Redevelopment Commission on April 9, 1973, designated as "Resolution No. 73-16, Declaratory Resolution Amending Urban Renewal Plan for Hanna-Creighton Project I, Ind. R-51", and said Declaratory Resolution having been duly considered by the Fort Wayne City Plan Commission and found to be in conformance with the Master Plan of Development for the City of Fort Wayne;

NOW, THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that said Declaratory Resolution Amending Urban Renewal Plan for Hanna-Creighton Project I, Ind. R-51 conforms to the Master Plan of Development for the City of Fort Wayne and said Declaratory Resolution is accordingly hereby approved.

BE IT FURTHER RESOLVED that the President of this Commission be and he is hereby authorized to deliver to the Fort Wayne Redevelopment Commission and to the Common Council of the


City of Fort Wayne a certified copy of this resolution which shall constitute the approving order of the Fort Wayne City Plan Commission as required by law approving said Resolution No. 73-16 - Declaratory Resolution Amending Urban Renewal Plan for Hanna-Creighton Project I, Ind. R-51.


Secretary, Fort Wayne City Plan Commission

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

I, Alan R. Grinsfelder, President of the Fort Wayne City Plan Commission, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission at a regular meeting of said Commission held on May 14, 1973, and as the same appears of record in the official records of the said Plan Commission dated the 14th day of May, 1973.

Approved:


Alan R. Grinsfelder, President of
the Fort Wayne City Plan Commission

REDEVELOPMENT COMMISSION

Inter-Office Memorandum

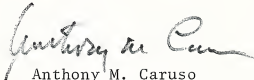
To: Mr. Charles Westerman, City Clerk

From: Anthony M. Caruso, Executive Director

Subject: Hanna-Creighton (IND R-51)

Date: 5/17/73

Enclosed is a Request For Action form prepared as indicated by Mr. John Logan in a recent telephone conversation. The information and action required have already been provided Mr. Logan, however, this document is submitted for your records.



Anthony M. Caruso
Executive Director

AMC/mbv
Enclosure

REQUEST FOR ACTION

To: ~~City Attorney David B. Keller~~
~~City Clerk~~
~~Associate City Attorney~~ Charles Westerman

From: (Name, Title & Department) Anthony M. Caruso, Executive
Director, Redevelopment Commission

Approved by *Anthony M. Caruso*
(Person authorized to forward legal work)
Anthony M. Caruso, Executive Director

Date: May 17, 1973

Subject: General Ordinance
(File subject designation)

* * * * *

File # Assigned by Records Librarian

Date: May 17, 1973

* * * * *

Action Requested: It is requested that a General Ordinance be
prepared repealing Special Ordinance No. S-242 approved March
25, 1958 by the Common Council of the City of Fort Wayne, Indiana,
which Ordinance ratified and approved a certain contract and
agreement made and entered into by and between the City of
(Continue on reverse side, if necessary)

cc: ~~City Attorney David B. Keller~~
~~(If request originally sent to an Associate City Attorney)~~
Mayor Ivan A. Lebamoff
Department Head of Requesting Party

DIGEST SHEET

TITLE OF ORDINANCE (See Action Requested)

B-73-05-25

DEPARTMENT REQUESTING ORDINANCE Department of Redevelopment

SYNOPSIS OF ORDINANCE The original Ordinance granted a franchise to construct, operate, and maintain a side track connecting the main tracks of the Pittsburgh, Fort Wayne, and Chicago Railroad.

The franchise is no longer necessary and in order to clear title to the area, an Ordinance repealing the Special Ordinance is required.

EFFECT OF PASSAGE Legal action to this effect is necessary to close out the Hanna-Creighton Renewal Project on May 22, 1973 as scheduled.

EFFECT OF NON-PASSAGE Hanna-Creighton Renewal Project cannot close out on schedule thereby causing additional costs.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

\$229,000 if project not closed out on schedule

ASSIGNED TO COMMITTEE (J.N.)

Reg - W/C

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	<i>5-73-05-24</i>
ORDINANCE NO.	<i>5-11-73</i>
<input checked="" type="checkbox"/> REGULAR SESSION	<i>5-22-73</i>
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Legan</i>
BILL WRITTEN BY	<i>Dept of Redevelopment</i>
DATE INTRODUCED	<i>5-22-73</i>
REFERRED TO SAID STANDING COMMITTEE	<i>Nuckols Regulations</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
<input checked="" type="checkbox"/> PASS	<i>5-22-73</i>
DO NOT PASS	
WITHDRAWN	
<input checked="" type="checkbox"/> SUSPENSION OF RULES	<i>5-22-73</i>
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

<input checked="" type="checkbox"/>	COMMITTEE SHEET
<input checked="" type="checkbox"/>	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	<i>Release of right in + to a zoning map Railroad sidetrack</i>
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Digital check
Request for action
 COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS: